

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, TYLER MAGILL, APRIL  
MUNIZ, HANNAH PEARCE, MARCUS  
MARTIN, NATALIE ROMERO, CHELSEA  
ALVARADO, and JOHN DOE,

Plaintiffs,

v.

JASON KESSLER, RICHARD SPENCER,  
CHRISTOPHER CANTWELL, JAMES  
ALEX FIELDS, JR., VANGUARD  
AMERICA, ANDREW ANGLIN,  
MOONBASE HOLDINGS, LLC, ROBERT  
“AZZMADOR” RAY, NATHAN DAMIGO,  
ELLIOT KLINE a/k/a ELI MOSLEY,  
IDENTITY EVROPA, MATTHEW  
HEIMBACH, MATTHEW PARROTT a/k/a  
DAVID MATTHEW PARROTT,  
TRADITIONALIST WORKER PARTY,  
MICHAEL HILL, MICHAEL TUBBS,  
LEAGUE OF THE SOUTH, JEFF SCHOEPP,  
NATIONAL SOCIALIST MOVEMENT,  
NATIONALIST FRONT, AUGUSTUS SOL  
INVICTUS, FRATERNAL ORDER OF THE  
ALT-KNIGHTS, MICHAEL “ENOCH”  
PEINOVICH, LOYAL WHITE KNIGHTS OF  
THE KU KLUX KLAN, and EAST COAST  
KNIGHTS OF THE KU KLUX KLAN a/k/a  
EAST COAST KNIGHTS OF THE TRUE  
INVISIBLE EMPIRE,

**Civil Action No. 3:17-cv-00072-NKM**

Defendants.

**NOTICE OF PLAINTIFF TYLER MAGILL’S MOTION TO WITHDRAW AND  
VOLUNTARILY DISMISS HIS CLAIMS WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Plaintiff Tyler Magill's Motion to Withdraw and Voluntarily Dismiss His Claims Without Prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the Affidavit of Tyler Magill in support of his motion, the Affirmation of Michael E. Bloch, and all other papers and proceedings herein, Tyler Magill, by and through his counsel, hereby moves this Court for an Order, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, granting Plaintiff Tyler Magill's motion to withdraw and voluntarily dismiss his claims without prejudice.

Dated: February 7, 2019

Respectfully submitted,

/s/  
Robert T. Cahill (VSB 38562)  
COOLEY LLP  
11951 Freedom Drive, 14th Floor  
Reston, VA 20190-5656  
Telephone: (703) 456-8000  
Fax: (703) 456-8100  
rcahill@cooley.com

Of Counsel:

Roberta A. Kaplan (*pro hac vice*)  
Julie E. Fink (*pro hac vice*)  
Gabrielle E. Tenzer (*pro hac vice*)  
Joshua A. Matz (*pro hac vice*)  
Christopher B. Greene (*pro hac vice*)  
KAPLAN HECKER & FINK LLP  
350 Fifth Avenue, Suite 7110  
New York, NY 10118  
Telephone: (212) 763-0883  
[rkaplan@kaplanhecker.com](mailto:rkaplan@kaplanhecker.com)  
[jfink@kaplanhecker.com](mailto:jfink@kaplanhecker.com)  
[gtenzer@kaplanhecker.com](mailto:gtenzer@kaplanhecker.com)  
[jmatz@kaplanhecker.com](mailto:jmatz@kaplanhecker.com)  
[cgreene@kaplanhecker.com](mailto:cgreene@kaplanhecker.com)

Yotam Barkai (*pro hac vice*)  
BOIES SCHILLER FLEXNER LLP  
575 Lexington Ave.  
New York, NY 10022  
Telephone: (212) 446-2300  
Fax: (212) 446-2350  
[ybarkai@bsflp.com](mailto:ybarkai@bsflp.com)

David E. Mills (*pro hac vice*)  
COOLEY LLP  
1299 Pennsylvania Avenue, NW  
Suite 700  
Washington, DC 20004  
Telephone: (202) 842-7800  
Fax: (202) 842-7899  
[dmills@cooley.com](mailto:dmills@cooley.com)

Karen L. Dunn (*pro hac vice*)  
William A. Isaacson (*pro hac vice*)  
Jessica Phillips (*pro hac vice*)  
BOIES SCHILLER FLEXNER LLP  
1401 New York Ave, NW  
Washington, DC 20005  
Telephone: (202) 237-2727  
Fax: (202) 237-6131  
[kdunn@bsflp.com](mailto:kdunn@bsflp.com)  
[wisaacson@bsflp.com](mailto:wisaacson@bsflp.com)  
[jphillips@bsflp.com](mailto:jphillips@bsflp.com)

Alan Levine (*pro hac vice*)  
Philip Bowman (*pro hac vice*)  
COOLEY LLP  
1114 Avenue of the Americas, 46th Floor  
New York, NY 10036  
Telephone: (212) 479-6260  
Fax: (212) 479-6275  
[alevine@cooley.com](mailto:alevine@cooley.com)  
[pbowman@cooley.com](mailto:pbowman@cooley.com)

J. Benjamin Rottenborn (VSB 84796)  
WOODS ROGERS PLC  
10 South Jefferson St., Suite 1400  
Roanoke, VA 24011  
Telephone: (540) 983-7600  
Fax: (540) 983-7711  
[brottenborn@woodsrogers.com](mailto:brottenborn@woodsrogers.com)

*Counsel for Plaintiffs*

## **CERTIFICATE OF SERVICE**

I hereby certify that on February 7, 2019, the foregoing was filed with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

Justin Saunders Gravatt  
David L. Hauck  
David L. Campbell  
Duane, Hauck, Davis & Gravatt, P.C.  
100 West Franklin Street, Suite 100  
Richmond, VA 23220  
[jgravatt@dhgglaw.com](mailto:jgravatt@dhgglaw.com)  
[dhauck@dhgglaw.com](mailto:dhauck@dhgglaw.com)  
[dcampbell@dhgglaw.com](mailto:dcampbell@dhgglaw.com)

*Counsel for Defendant James A. Fields, Jr.*

Bryan Jones  
106 W. South St., Suite 211  
Charlottesville, VA 22902  
[bryan@bjoneslegal.com](mailto:bryan@bjoneslegal.com)

*Counsel for Defendants Michael Hill,  
Michael Tubbs, and League of the South*

John A. DiNucci  
Law Office of John A. DiNucci  
8180 Greensboro Drive, Suite 1150  
McLean, VA 22102  
[dinuccilaw@outlook.com](mailto:dinuccilaw@outlook.com)

*Counsel for Defendant Richard Spencer*

Elmer Woodard  
5661 US Hwy 29  
Blairs, VA 24527  
[isuecrooks@comcast.net](mailto:isuecrooks@comcast.net)

James E. Kolenich  
Kolenich Law Office  
9435 Waterstone Blvd. #140  
Cincinnati, OH 45249  
[jek318@gmail.com](mailto:jek318@gmail.com)

*Counsel for Defendants Jeff Schoep, Nationalist Front, National Socialist Movement, Matthew Parrott, Robert Ray, Traditionalist Worker Party, Jason Kessler, Vanguard America, Nathan Damigo, Identity Europa, Inc. (Identity Europa), and Christopher Cantwell*

I further hereby certify that on February 7, 2019, I also served the following non-ECF participants, via U.S. mail, First Class and postage prepaid, addressed as follows:

Loyal White Knights of the Ku Klux Klan  
a/k/a Loyal White Knights Church of  
the Invisible Empire, Inc.  
c/o Chris and Amanda Barker  
2634 U.S. HWY 158 E  
Yanceyville, NC 27379

Augustus Sol Invictus  
9823 4<sup>th</sup> Avenue  
Orlando, FL 32824

Fraternal Order of the Alt-Knights  
c/o Kyle Chapman  
52 Lycett Circle  
Daly City, CA 94015

Moonbase Holdings, LLC  
c/o Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

East Coast Knights of the Ku Klux Klan  
a/k/a East Coast Knights of the  
True Invisible Empire  
26 South Pine St.  
Red Lion, PA 17356

I further hereby certify that on February 7, 2019, I also served the following non-ECF participants, via electronic mail, as follows:

Elliott Kline  
eli.f.mosley@gmail.com

Matthew Heimbach  
matthew.w.heimbach@gmail.com

/s/

Robert T. Cahill (VSB 38562)  
COOLEY LLP  
11951 Freedom Drive, 14<sup>th</sup> Floor  
Reston, VA 20190-5656  
Telephone: (703) 456-8000  
Fax: (703) 456-8100  
Email: rcahill@cooley.com

*Counsel for Plaintiffs*